

Fill in this information to identify the case:

Debtor 1 Frank Titus Avignone, IVDebtor 2 Sarah Sieg Avignone  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Texas

Case number 14-41587

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Planet Home Lending, LLC

Name of creditor: \_\_\_\_\_

Court claim no. (if known): 8-1Last 4 digits of any number you use to  
identify the debtor's account: \_\_\_\_\_6 9 8 5

Date of payment change:

Must be at least 21 days after date  
of this notice 12/01/2019

New total payment:

\$ 4,715.78  
Principal, interest, and escrow, if any**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**☐ No☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_Current escrow payment: \$ 1,195.71New escrow payment: \$ 1,994.50**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**☒ No☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_%

New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**☒ No☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Frank Titus Avignone, IV  
First Name Middle Name Last Name

Case number (if known) 14-41587

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Kiris C. Lamb  
Signature

Date 10/22/2019

Print: Kiris Christine Lamb  
First Name Middle Name Last Name

Title Paralegal

Company Nations Default Services, Inc.

Address 9801 Legler Road  
Number Street  
Lenexa, KS 66219  
City State ZIP Code

Contact phone 913-383-0202 ext.1085

Email klamb@nationsds.com

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FRANK AVIGNONE  
SARAH AVIGNONE  
3504 FLINTSTONE DR  
PLANO TX 75074

Customer Service:

1-866-882-8187

Visit Our Website at: [www.planethomelending.com](http://www.planethomelending.com)  
Email: [cs@myloansupport.com](mailto:cs@myloansupport.com)

Planet Home Lending has reviewed your escrow account to determine your new monthly escrow payment. As you may know, we collect funds and hold them in your escrow account to pay items such as property taxes, mortgage insurance and homeowner's insurance premiums on your behalf. Below are answers to the most commonly asked questions we receive about the annual escrow analysis and the details related to your account.

## 1. What is the amount of my new monthly payment starting December 01, 2019?

Payment Items	Current Payment	New Payment	Difference
Principal and Interest	\$2,721.28	\$2,721.28	\$0.00
Escrow	1,298.63	1,474.46	175.83
Shortage/Surplus	-102.92	520.04	622.96
<b>Total Monthly Payment</b>	<b>\$3,916.99</b>	<b>\$4,715.78</b>	<b>\$798.79</b>

- **Note:** If you currently use a bill pay service to make your monthly payments, please update the amount scheduled for submission in December to reflect the new payment listed above. If you are currently set up on automatic payments with Planet Home Lending, your December payment will automatically be adjusted to include the above escrow amount(s).
- If you have an adjustable rate mortgage the New Payment Amount may not reflect any pending changes to the Principal and interest portion of your payment.

## 2. What are the most common reasons that my escrow payment may change from year to year?

- A. Increases or Decreases in Amounts Billed** – the amount we collect each month to be held in your escrow account may change based on increases or decreases to your property taxes, mortgage insurance, and homeowner's insurance premiums. The information below compares the amounts Planet Home Lending expected to pay for each item this past year from your escrow account to the actual amounts that were paid. The difference column reflects the increase or decrease for each escrowed item.

Escrowed Item	Expected Amounts Due	Actual Amounts Due	Difference
COUNTY	\$11,129.88	\$12,400.56	\$1,270.68
HOMEOWNERS	\$4,453.70	\$5,292.94	\$839.24
<b>Total Annual Escrow Payments</b>	<b>\$15,583.58</b>	<b>\$17,693.50</b>	<b>\$2,109.92</b>
<b>Monthly Escrow Payments</b>	<b>\$1,298.63</b>	<b>\$1,474.46</b>	<b>\$175.83</b>

- B. Repayment of Escrow Shortage or Surplus** - According to the projections shown in Table 1 on the reverse side, your escrow account will fall below the minimum required balance of \$2,948.92 in December. This means you will have a shortage of \$6,240.50 in your escrow account.

Projected Low Escrow Balance	Allowable Low Escrow Balance	Shortage
-\$3,291.58	minus \$2,948.92	equals (\$6,240.50)

Please write your loan number on your check and mail this portion with your payment.

## ESCROW SHORTAGE COUPON

Loan Number:

Name: FRANK AVIGNONE  
SARAH AVIGNONE

Shortage Amount: \$6,240.50

You have the following options to repay your Escrow Shortage:

- A. Do Nothing** – The total shortage has been divided over 12 months and \$520.04 will automatically be added to your monthly payment beginning December 01, 2019. Your new payment amount including the shortage will be \$4,715.78.
- B. Repay the Escrow Shortage in Full** – Please submit a check in the amount of \$6,240.50 along with this coupon to the

please call our toll-free number.

Unless limited by state law, Federal law (RESPA) allows lenders to maintain a two month cushion in an escrow account. The cushion helps minimize the amount your escrow account could be overdrawn if tax or insurance payments increase.

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Please keep this statement for comparison with the actual activity in your escrow account at the end of the escrow accounting computation year.

**TABLE 1 - ACCOUNT PROJECTIONS**

<u>Month</u>	<u>Payments to Escrow Account</u>	<u>Payments from Escrow Account</u>	<u>Description</u>	<u>Escrow Required Balance</u>	<u>Projected Balance</u>
<b>Beginning Balance</b>				\$13,875.02	\$7,634.52
December	1,474.46	12,400.56	COUNTY	2,948.92	<b>-3,291.58 **</b>
January	1,474.46	0.00		4,423.38	-1,817.12
February	1,474.46	0.00		5,897.84	-342.66
March	1,474.46	0.00		7,372.30	1,131.80
April	1,474.46	0.00		8,846.76	2,606.26
May	1,474.46	0.00		10,321.22	4,080.72
June	1,474.46	0.00		11,795.68	5,555.18
July	1,474.46	5,292.94	HOMEOWNERS	7,977.20	1,736.70
August	1,474.46	0.00		9,451.66	3,211.16
September	1,474.46	0.00		10,926.12	4,685.62
October	1,474.46	0.00		12,400.58	6,160.08
November	1,474.46	0.00		13,875.04	7,634.54

\*\*Low Balance used to determine escrow overage or shortage.

**TABLE 2 - ESCROW ACTIVITY HISTORY**

<u>Month</u>	<u>Payments to Escrow Account</u>	<u>Payments from Escrow Account</u>	<u>Description</u>	<u>Escrow Account Balance</u>
<b>Beginning Balance</b>				-\$2,202.90
June	1,147.05 *	0.00		-1,055.85
July	1,147.05 *	4,697.96 *	HOMEOWNERS	-4,606.76
August	1,147.05 *	0.00		-3,459.71
September	1,147.05 *	0.00		-2,312.66
October	0.00 *	0.00		-2,312.66
November	0.00 *	11,350.76 *	COUNTY	-13,663.42
December	1,857.39 *	0.00 *	COUNTY	-11,806.03
January	0.00 *	0.00		-11,806.03
February	0.00 *	0.00		-11,806.03
March	1,857.39 *	0.00		-9,948.64
April	0.00 *	0.00		-9,948.64
May	3,714.78 *	0.00		-6,233.86
July	0.00	4,922.94 *	HOMEOWNERS	-11,156.80
August	8,637.72 *	4,922.94 *	HOMEOWNERS	-7,442.02
November	1,857.39 *	12,400.56 *	COUNTY	-17,985.19
January	7,429.56 *	0.00		-10,555.63
June	3,156.02 *	0.00		-7,399.61
July	0.00	5,292.94 *	HOMEOWNERS	-12,692.55
September	17,935.65 E	0.00 E		5,243.10
October	1,195.71 E	0.00 E		6,438.81
November	1,195.71 E	0.00 E		7,634.52

ATTENTION TO ANY DEBTOR IN BANKRUPTCY OR WHO HAS RECEIVED A DISCHARGE IN BANKRUPTCY: This document is being sent for compliance and/or informational purposes only and is not an attempt to collect a debt or impose personal liability on the recipient except as permitted by law. Please be advised that this letter constitutes neither a demand for payment nor a notice of personal liability to any recipient hereof who has received a discharge of such debt in accordance with applicable bankruptcy laws or who is subject to the automatic stay of Section 362 of the US Bankruptcy Code. Creditor retains its rights under its security instrument, including the right to foreclose its lien.

Borrowers who are not in bankruptcy or who have not received a discharge in bankruptcy, please be advised that Planet Home Lending is a debt collector attempting to collect a debt and any information obtained may be used for that purpose.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

IN RE: Frank Titus Avignone, IV, )  
Sarah Sieg Avignone, )  
DEBTOR(S) )  
)  
)  
)

Case NO: 14-41587

**CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing Notice of Payment Change was served on the parties shown below on this 25th day of October, 2019, by pre-paid, first class, regular US Mail or via electronic delivery listed on the Court's CM/ECF Electronic Noticing System.

**Frank Titus Avignone, IV**  
**Sarah Sieg Avignone**  
**3504 Flintstone Drive**  
**Plano, TX 75074**  
**Debtor(s)**

Louis A. Shaff—[louis@psmclaw.com](mailto:louis@psmclaw.com)  
**Debtors Attorney**

Carey D. Ebert — [ECFch13plano@ch13plano.com](mailto:ECFch13plano@ch13plano.com)  
**Chapter 13 Trustee**

Office of the U.S. Trustee  
110 N. College Ave  
Suite 300  
Tyler, TX 75702  
**U.S. Trustee**

/s/ Kiris C. Lamb  
Kiris C. Lamb